

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA

- v -

AFFIRMATION

RICHARD M. VALENTINE, JR.,

18 Mag. 5453

Defendant.
-----X

STATE OF NEW YORK)
COUNTY OF WESTCHESTER : ss.:
SOUTHERN DISTRICT OF NEW YORK)

Andrew J. DeFilippis, under penalty of perjury, hereby affirms as follows:

1. I am an Assistant United States Attorney in the Southern District of New York. I submit this affirmation in support of an application for a sixth order of continuance of the time within which an indictment or information would otherwise have to be filed, pursuant to Title 18, United States Code, Section 3161(h)(7)(A).

2. RICHARD M. VALENTINE, JR., the defendant, was charged with violations of 18 U.S.C. §§ 922(a)(6) and 924(a)(1)(A), in a complaint dated June 26, 2018. The defendant was presented before Magistrate Judge Lisa Margaret Smith on July 5, 2018, and the defendant was released on the following conditions: \$100,000.00 personal recognizance bond to be co-signed by two financially responsible persons; travel restricted to the Southern and Eastern Districts of New York; surrender travel documents and make no new applications; regular pretrial supervision; strict mental health evaluation/treatment by pretrial services; defendant to submit to urinalysis; if positive, add condition of drug testing/treatment; home detention; GPS; defendant not to possess firearm/destructive device/other weapon; defendant to be released on own signature.


3. Christopher X. Maher, Esq., attorney for the defendant, has since been engaging in preliminary discussions with the Government concerning a possible disposition of this case without trial, and those discussions are ongoing. The Government hereby requests that a continuance of 28 days be granted, during which time we may pursue further discussions.

4. On December 17, 2018, I spoke to Mr. Maher, counsel for the defendant, who agreed on behalf of the defendant that the requested continuance of 28 days is appropriate in these circumstances.

5. For the reasons stated above, the ends of justice served by the granting of the continuance requested outweigh the best interests of the public and defendant in a speedy trial.

6. Pursuant to Title 28, United States Code, Section 1746, I declare under penalties of perjury that the foregoing is true and correct.

Executed on December 18, 2018.


Andrew J. DeFilippis
Assistant United States Attorney